

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 24th day of October, two thousand and seventeen.

Before: Dennis Jacobs,
 Robert D. Sack,
 Barrington D. Parker,
 Circuit Judges.

In Re: Elaine C. Duke, Acting Secretary of Homeland Security,

Elaine C. Duke, Acting Secretary of Homeland Security,
Jefferson B. Sessions III, United States Attorney General,
Donald J. Trump, President of the United States, United States
Citizenship and Immigration Services, United States Immigration
and Customs Enforcement, United States of America,

Petitioners,

ORDER

Docket No. 17-3345

v.

Martin Jonathan Batalla Vidal, Make the Road New York,
Antonio Alarcon, Eliana Fernandez, Carlos Vargas, Mariano
Mondragon, Carolina Fung Feng, on behalf of themselves and all
other similarly situated individuals, State of New York, State of
Massachusetts, State of Washington, State of Connecticut, State
of Delaware, District of Columbia, State of Hawaii, State of
Illinois, State of Iowa, State of New Mexico, State of North
Carolina, State of Oregon, State of Pennsylvania, State of Rhode
Island, State of Vermont, State of Virginia, State of Colorado,

Respondents.

The stay entered on Friday, October 20, 2017 pending this hearing today by a three-judge panel is hereby extended until determination of the mandamus petition filed Monday, October 23, 2017. Resolution of the mandamus petition is deferred until such time as the district court has considered and decided expeditiously issues of jurisdiction and justiciability. Response briefs on the mandamus petition may be filed promptly. The filing of any other or further briefs is deferred until further notice.

For the Court:

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

Catherine O'Hagan Wolfe,
Clerk of Court

Catherine O'Hagan Wolfe